

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

REDACTED

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

**FILED UNDER SEAL – CONFIDENTIAL
INFORMATION – SUBJECT TO
PROTECTIVE ORDER – NOT TO BE
DISCLOSED EXCEPT BY COURT
ORDER OR WRITTEN STIPULATION
OF THE PARTIES**

**DECLARATION OF CHARLES FOWLER IN SUPPORT OF PLAINTIFF
CALLAWAY GOLF COMPANY'S MOTION TO DISQUALIFY DAVID
FELKER AS AN EXPERT IN THIS CASE**

I, Charles Fowler, declare as follows:

1. I was an associate at the intellectual property law firm Lyon & Lyon LLP from 1994 until the firm dissolved in 2002. While at Lyon & Lyon, I represented Callaway Golf Company. I no longer represent Callaway Golf. I have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.

2. I began representing Callaway Golf in early 1997. I continued to represent Callaway Golf through at least 2002, although the amount of work that I performed for Callaway Golf decreased substantially beginning in late 1999 to early 2000.

3. I had two primary assignments:

4. In the course of performing my work for Callaway Golf,

5.

6. My primary contact was David Felker.

7.

8. One of the individuals that I educated was David Felker.

9.

10.

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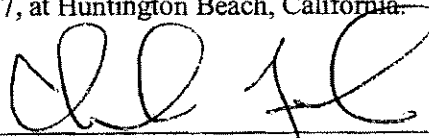
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11.

A large portion of my time providing legal services to Callaway Golf was spent either working directly with or working directly on projects related to David Felker.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 11th day of January, 2007, at Huntington Beach, California.

A handwritten signature in black ink, appearing to read 'C. Fowler', is written over a horizontal line.

Charles Fowler

CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2007, I electronically filed the **REDACTED**
VERSION OF DECLARATION OF CHARLES FOWLER IN SUPPORT OF PLAINTIFF
CALLAWAY GOLF COMPANY'S MOTION TO DISQUALIFY DEFENDANT
ACUSHNET COMPANY'S EXPERT DAVID FELKER with the Clerk of Court using
CM/ECF which will send electronic notification of such filing(s) to the following Delaware
counsel. In addition, the filing will also be sent via hand delivery:

Richard L. Horwitz
David E. Moore
Potter Anderson & Corroon LLP
Hercules Plaza, 6th floor
1313 N. Market Street
Wilmington, DE 19801

Attorneys for Defendant
ACUSHNET COMPANY

I hereby certify that on January 24, 2007, I have mailed by United States Postal Service,
the document(s) to the following non-registered participants:

Joseph P. Lavelle
Howrey LLP
1299 Pennsylvania Avenue, N.W.
Washington, DC 20004

Attorneys for Defendant
ACUSHNET COMPANY

/s/ Thomas L. Halkowski
Thomas L. Halkowski